States	Electoral votes of each State	For President		For Vice President	
		Lyndon B. Johnson, of Texas	Barry M. Goldwater, of Arizona	Hubert H. Humphrey, of Minnesota	William E. Miller, of New York
Alabama	10		10		10
Alaska	3	3		3	
Arizona	5		5		5
Arkansas	6	6		6	
California	40	40		40	
Colorado	6	6		6	
Connecticut	8	8		8	
Delaware	3	3		3	
District of Columbia	3	3		3	
Florida	14	14		14	
Georgia	12		12		12
Hawaii	4	4		4	
Idaho	4	4		4	
Illinois	26	26		26	
Indiana	13	13		13	
Iowa	9	9		9	
Kansas	7	7		7	
Kentucky	9	9		9	
Louisiana	10		10		10
Maine	4	4		4	
Maryland	10	10		10	
Massachusetts	14	14		14	
Michigan	21	21		21	
Minnesota	10	10		10	
Mississippi	7		7		7
Missouri	12	12		12	
Montana	4	4		4	
Nebraska	5	5		5	
Nevada	3	3		3	
New Hampshire	4	4		4	
New Jersey	17	17		17	
New Mexico	4	4		4	
New York	43	43		43	
North Carolina	13	13		13	
North Dakota	4	4		4	
Ohio	26	26		26	
Oklahoma	8	8		8	
Oregon	6	6		6	
Pennsylvania	29	29		29	
Rhode Island	4	4		4	
South Carolina	8		8		8
South Dakota	4	4		4	
Tennessee	11	11		11	
Texas	25	25		25	
Utah	4	4		4	
Vermont	3	3		3	
Virginia	12	12		12	
Washington	9	9		9	
West Virginia	7	7		7	
Wisconsin	12	12		12	
Wyoming	3	3		3	
Total	538	486	52	486	52

CARL T. CURTIS,
EVERETT B. JORDAN,
Tellers on the Part of the Senate.
OMAR BURLESON,
ROBERT J. CORBETT,
Tellers on the Part of the House of Representatives.

The state of the vote for President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for President of the United States is 538, of which a majority is 270.

Lyndon B. Johnson of the State of Texas, has received for President of the United States 486 votes;

Barry M. Goldwater, of the State of Arizona, has received 52 votes.

The state of the vote for Vice President of the United States, as delivered to the President of the Senate, is as follows:

The whole number of the electors appointed to vote for Vice President of the United States is 538, of which a majority is 270.

HUBERT H. HUMPHREY, of the State of Minnesota, has received for Vice President of the United States 486 votes;

William E. Miller, of the State of New York, has received 52 votes.

This announcement of the state of the vote by the President of the Senate shall be deemed a sufficient declaration of the persons elected President and Vice President of the United States, each for the term beginning on the twentieth day of January, nineteen hundred and sixty-five, and shall be entered, together with a list of the votes, on the Journals of the Senate and House of Representatives.

The PRESIDENT pro tempore. Members of the Congress, the purpose for which the joint session of the two Houses of Congress has been called, pursuant to Senate Concurrent Resolution 1, 89th Congress, having been accomplished, the Chair declares the joint session dissolved.

(Thereupon, at 1 o'clock and 46 minutes p.m., the joint session of the two Houses of Congress was dissolved.)

The House was called to order by the Speaker.

The SPEAKER. Pursuant to Senate Concurrent Resolution 1, the Chair directs that the electoral vote be spread at large upon the Journal.

HORTON BILL TO REPEAL ADMISSIONS TAX

(Mr. HORTON was granted permission to extend his remarks at this point in the RECORD in two instances and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am pleased to announce to my colleagues in the House that I have introduced today a bill to amend the Internal Revenue Code of 1954 to repeal the tax on admissions.

The action proposed by my measure, I believe, is long overdue. There are a number of benefits to the citizens of our country that can flow from admissions tax repeal, and I would like to cite a few of them in support of the legislation I am sponsoring in this regard.

I also wish to point out the particular pertinence the enactment of this bill would have to the constituents in the district which it is my honor to represent in Congress. The people of the Rochester, N.Y., area enjoy nationwide notice for their patronage of theatrical presentations in the fields of music, drama, motion pictures, et cetera. Thus, removing the currently imposed 10-percent levy on admission charges in excess of $1 certainly would serve to further this wholesome interest.

Directly tied to the question of the admission tax is the financial health of many segments of this Nation's entertainment and amusement industry. And, of course, we recognize that a number of allied business enterprises employing many more millions also are affected by the ability of the industry they serve to survive and maintain its viability in the American economy.

There is no doubt that removal of the admissions tax will improve the survival quotient for American amusements. I am told by the operators of many theaters and sports stadiums that the tax often represents the difference between profit and loss, which ultimately becomes the difference between business life and death.

Just a few weeks ago, New York State Attorney General Louis J. Lefkowitz impressed upon me that elimination of the admissions tax would allow theatrical producers to readjust their ticket price scale to a flexible level which would make for a more attractive price level for all types of theatergoers. Mr. Lefkowitz points out that the overall cost of tickets has risen to meet the rising costs of production in recent years, so that tax removal would help both the proprietors and the patrons.

There are many proposals to bring Federal encouragement to the arts and other aspects of America that so enrich our culture. I believe my colleagues know my endorsement of these measures.

Now, I believe it is wholly consistent with my past actions and attitudes—and really a logical extension—that I urge this Congress to demonstrate and display a sense of national patronage for the arts by passing into law the bill I have offered to repeal the Federal tax on admissions.

HORTON SPORTS ANTITRUST BILL

Mr. HORTON. Mr. Speaker, today I am introducing legislation similar to legislation I introduced last year to provide a limited or qualified exemption from the antitrust laws for the professional team sports of football, basketball, and hockey and to include baseball under the antitrust laws and grant baseball these same qualified exemptions. I am doing this because of the anomaly which now exists between baseball and the other professional sports—baseball is exempt from the antitrust laws and the other professional sports are covered.

Baseball has been exempt from the antitrust laws since 1922 when the Supreme Court said in *Federal Baseball Club of Baltimore* v. *National League*, 259 U.S. 200 that baseball was not "trade

or commerce" within the meaning of the Sherman Act. This decision was reaffirmed by the Court as recently as 1953 in *Toolson* v. *New York Yankees, Inc.*, 346 U.S. 356. However, in *Radovich* v. *National Football League*, 352 U.S. 445 in 1957, 3 years later the Court denied such antitrust exemption to professional football and said:

If this ruling is unrealistic, inconsistent, or illogical, it is sufficient to answer, aside from the distinctions between the businesses that were we considering the question of baseball for the first time upon a clean slate we would have no doubts. But Federal baseball held the business of baseball outside the scope of the act. No other business claiming the coverage of those cases has such an adjudication. We, therefore, conclude that the orderly way to eliminate error or discrimation if any there be, is by legislation and not by Court decision. Congressional processes are more accommodative offering the whole industry hearings and an opportunity to assist in the formulation of new legislation. The resulting product is therefore more likely to protect the industry and public alike.

The Court said substantially the same thing in the Toolson case in 1953 so twice the Supreme Court has exhorted the Congress to act. Congress has responded in rather a desultory manner with both the House and Senate making moves to correct the situation, but the incongruity still exists, not particularly because of great opposition to the measures, but because the bills have been sidetracked for a multitude of other reasons without prejudice.

The bill I am introducing today does not provide a blanket exemption but only an exemption in those areas which are so essential to the continued growth and prosperity of professional team sports. These are: First an exemption for agreements and rules concerning the equalization of competitive playing strengths; second, such agreements and rules as deal with the employment, selection, or eligibility of players or the reservation, selection, or assignment of player contracts; third, agreements and rules for the right to operate within specific geographic area; and, fourth, agreements and rules for the preservation of public confidence in the honesty in sports contests.

These exemptions are for the purpose of assuring competition and for no other purpose. Professional team sports are unique in that if there is not a degree of equality in the teams spectator interest is lost. The club owners know this and for this reason support proposals such as those to equalize player strength. They have learned that where one team continually dominates a league, that league will not be in operation long. Thus, they must be permitted to agree among themselves on those things required to equalize player strength such as the employment, selection, or eligibility of players or the reservation, selection, or assignment of player contracts. In addition, owners must be assured that they have an unreserved right to operate within specified geographic areas. If such areas are not held inviolate, cutthroat competition could eventuate which would be detrimental to the players, the owners, and especially the fans. Finally, presidents or commissioners of leagues must be given broad authority to take those actions necessary to preserve public confidence in the honesty of the sports contests. We have seen examples of the need for this type of authority in the past few years.

The need for this type of legislation is self-evident. Thus, I urge this Congress to take quick and favorable action so that this discrimination among professional sports be done away with and professional sports be given those exemptions so necessary for their continued existence.

Mr. Speaker, in conclusion, I also would like to include for the information of my colleagues the fact that on August 4, 1964, the Senate Committee on the Judiciary reported to the Senate S. 2391—88th Congress—similar to the bill I have submitted today.

In favorably recommending passage of this measure, the committee held that it is necessary to maintain and expand certain identified activities pertaining to the sports aspects of the business involved. It went on to emphasize that the public interest would be served best by keeping essentially business aspects of the sports within the antitrust laws and the essentially sports activities outside the laws.

As an additional reference to the history of this legislation, it should be noted that the bill I am introducing today was H.R. 10912 in the 88th Congress and was introduced by me on April 15, 1964.

CONSTITUTIONAL AMENDMENT PROVIDING FOR PRESIDENTIAL INABILITY AND SUCCESSION

(Mr. SHRIVER (at the request of Mr. HALL) was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I have joined in introducing a resolution which proposes a constitutional amendment porviding for the effective determination of Presidential inability and succession.

In recent years our Nation has had the tragic experience brought home to all its people emphasizing the need for such legislation.

My respected colleague from Ohio [Mr. MCCULLOCH], who is ranking Republican on the Committee on the Judiciary, yesterday eloquently pointed out the necessity for early action. I am privileged to join the gentleman from Ohio [Mr. MCCULLOCH] in introducing a similar resolution.

Many organizations, including the American Bar Association, have given deliberate thought and consideration to this important constitutional problem. The time has come for the Congress to act to insure continuity in Government by providing for the contingency of a Presidential disability, and the filling of the office of the Vice President whenever a vacancy should occur.

Under leave to extend my remarks in the RECORD, I insert the following editorial from the Wichita, Kans., Eagle, dated January 4, 1965, which emphasizes the public interest in this problem and the importance of congressional consideration and action:

[From the Wichita (Kans.) Eagle, Jan. 4, 1965]

CHANCE FOR A SUCCESSION LAW

Congress, which has been dragging its feet on the matter of establishing some new laws for Presidential succession, may look more favorably on action in the next session.

With a President whose vigor is undisputed—despite a serious heart attack 10 years ago—and a robust Vice President, Congress could go about the task of establishing succession without the embarrassment it showed in addressing the problem during the the time Mr. Johnson was filling in for an assassinated President and there was no Vice President.

So say some of the Washington observers, at any rate. And they point, also, to the situation during the Eisenhower administration when the President's sometimes precarious health would have made such legislation seem cruelly pointed.

To be sure, the Senate passed a succession bill in the last session, but it expired later in the House Judiciary Committee. Because it would necessitate a constitutional amendment, such legislation would need approval by two-thirds of both Houses and three-fourths of the States.

Any reasonable bill should have little trouble getting such approval under present circumstances. The need has been apparent for at least a century. It is to be hoped that during the early days of the session, which traditionally are not very busy, Congress will give its earnest consideration to this important matter.

TAX LAW REVISIONS TO HELP AMERICA REACH ITS EMPLOYMENT POTENTIAL

(Mr. CURTIS was granted permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CURTIS. Mr. Speaker, in the last Congress I introduced several bills which would treat various aspects of the problems of employment and unemployment. H.R. 1908 provided a tax deduction for the expenses involved in upgrading skills, while H.R. 2076 provided that per diem allowances for expenses incurred by an employee away from home on company business would not be treated as taxable income on the outmoded theory that a man's residence is where his job is. Today I am reintroducing these two measures and will include my previous remarks—CONGRESSIONAL RECORD, page 500, January 17, 1963—concerning these bills at the end of this statement.

There is a collateral problem to the ones above which affects disabled workers. They often incur additional routine expenses which are necessary so that they can hold their jobs, for which I feel they should be permitted a tax deduction. I introduced a bill in January to meet some of these problems, later revising it in October. Today I am reintroducing the October version, and the remarks that I made at that time—CONGRESSIONAL RECORD, page 22669, October 1, 1964—will follow at the end of today's statement.

One final related problem is that of education of our youth so that they can produce in this increasingly technological society. Today, more money is being spent on education and educational purposes than at any time in our history. But the problem of education is an in-